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Record Item: Trial Testimony of...

File Unit: Civil Case #1333, *Davis et al v. County School Board of Prince Edward County, VA, et al.*, Box 126, Volume 2 (for Isidor Chein's testimony) or Volume 5 (for Mamie P. Clark, Horace B. English, Alfred McClung Lee, William H. Kelly, John Nelson Buck, and Henry E. Garrett's testimony), then the page number.

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JOHN NELSON BUCK, called as a witness by and on behalf of the defendants, being first duly sworn, testified as follows:

EXAMINED BY MR. MOORE:

Q Will you state your full name, your age, and your profession?

A John Nelson Buck; I am 45 years of age, my profession at present is that of retired clinical psychologist.

Q Where do you live?

A I live at Whitestone, Virginia.

Q Where were you born?

A I was born in the section of Philadelphia, Pennsylvania, known as Germantown.

Q Will you briefly state what has been your education?

A My education --

Q Formal education.

A My grammar school and high school education was obtained in the public schools of the city of Philadelphia. I attended the University of North Carolina in 1925 and 1927, taking pre-medical work. My formal education at the college level was seriously interfered with about a year and a half in order that I could undergo a

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series of orthopedic operations. I secured a leave of absence in May, 1943 when I left my position at Lynchburg State Colony and went on leave to go back to college to acquaint myself with newer methods and to broaden my academic background -- Swarthmore College first, and, later, at the University of Virginia.

Q Have you, in addition to the education you refer to, received any further instruction from psychiatrists or other professional persons?

A Yes, sir, I have. I received intensive tutorial instructions from what was one of Virginia Hospital's best psychiatrists at that time, Dr. John Hendren Bell, and I have attended work shops in the Rorschach Technique conducted by Dr. Otto Billig and Dr. Douglas Kelley.

Q I believe you said you are, what is in the profession termed, a clinical psychologist?

A Clinical psychologist, that is correct.

Q Do you hold any specific certificates or honors in that connection?

A I do. I am certified by the Examining Board for Clinical Psychologists in Virginia, and I am a member of Sigma Xi, the National Honorary Scientific Society.

Q I believe you did not find yourself in position

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to finish your formal education by obtaining degrees?

A That is correct, sir.

I suppose, in some respects, that parallels the situation that exists in law, or did exist, of for instance studying in law offices?

Q What memberships do you maintain in professional societies?

A I will give you a very brief review. I am an associate member of the American Psychological Association; a Fellow of the American Association on Mental Deficiency; member of the Society for Research in Child Development; the Society for Projective Techniques; the Psychology Section of the Virginia Academy of Science; the Southern Society for Philosophy and Psychology; the Virginia Mental Hygiene Association.

Q Have you ever been an officer of any of those societies?

A I have twice been Secretary-Treasurer and twice Chairman of the State Psychological Group; I have been the National Vice-President for Psychology of the American Association on Mental Deficiency; I have been a member of the Council of the Virginia Academy of Science.

Q Have you ever published any articles in pro-

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fessional journals along your lines of your special endeavor?

A I have published a monograph and 21 articles on various phases of my work in psychology in such journals as the Journal of Clinical Psychology, the Journal of Applied Psychology, the American Journal of Mental Deficiency, the Journal of the National Education Association, the Virginia Mental Hygiene Survey, the Journal of Projective Techniques, and the DePaul Hospital Bulletin, and I have just had a long article accepted for publication by a Spanish Psychological Journal.

Q What positions have you held in the psychological field, Mr. Buck?

A Except for six months in 1944-45, during which I worked as Research Fellow at the Neuro-Psychiatric Department of the University of Virginia Medical School, all of my clinical work -- almost all of my clinical work was done at the Lynchburg State Colony. I resigned my position there in September, 1951.

Q Just what is the kind of work that is done there at the Lynchburg State Colony?

A The Lynchburg State Colony is a State-owned and operated institution for mentally defective and/or epileptic individuals. In the patient population, there

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are several hundred psychotics, as well. My experience, however, has not been limited to that particular population, since we operated in connection with my department, a rather extensive out-patient service, as a teaching service for our interns and staff.

Q Have you done any research work in psychology?

A I have developed a technique known as the H-T-P, for use in the appraisal of the total personality. I should explain, I think, for the Court's benefit, that involves house, tree, and pencil drawings. It is done first in pencil and later in crayon.

Q That is what the H-T-P stand for?

A That is what the H-T-P stands for. I have also developed a psychiatric-interview technique, known as the Philo-Phobe, also used in the appraisal of the personality; and an emergency test of intelligence called the Time Appreciation Test. I have also devised 12 psychological forms.

Q You were at the State Colony for how many years?

A I started at the State Colony in my psychological work there in April 1929 and I stopped in September of last year, except for the two years' leave during the last World War.

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Q What staff did you have there at the State Colony?

A When I started, there was only myself; when I stopped, we had three assistants and two interns, and the intern program was being extended.

Q Your work, then, really has been primarily in the field of appraising personality?

A That is true.

Q What have you done in the area of teaching experience?

A My teaching experience has not been in the sense of those who preceded me, certainly. I have done extensive instruction on interns at the Colony since we developed an intern-program there in 1946. I also developed an extension service at Lynchburg for the teachers of the Lynchburg Public School System. I have conducted several lectures under the sponsorship of Emory University and various Veterans' facilities, and I have lectured to groups of public school teachers, both white and Negroes, on mental hygiene.

Q Has your clinical experience been limited largely to working with mental deficients or epileptics?

A As I said before, I either examined or was responsible for the examination of the in-patient population at the Lynchburg State Colony. For a number of years, I also conducted the examination of all those who were employed at

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the Colony, that is, all the employees during their probationary period of employment, in an attempt to determine their ability to work with disturbed individuals. In addition, we had a rather extensive out-patient service and, as I have indicated, the out-patient service was largely psycho-diagnostic. The work in the hospital was both psycho-diagnostic and psycho-therapeutic.

Q Were a substantial number of the persons that you examined there on referral from physicians or social agencies?

A In the out-patient department, the referrals were entirely from physicians or social agencies.

Q Did you examine Negroes as well as white people?

A Yes, although the number of Negroes, I don't think was quite as large as that in the entire population.

Q Has your experience in the appraisal of personality with Negroes been limited to those who were maladjusted?

A No. About two years ago we did a survey of the Negro elementary and high school in Madison Heights, in order to obtain data with which to check norms which we had established for white children on the emergency-testing intelligence, which I have described. We examined all the students in that population.

Q Now, we have touched on this point with several

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other witnesses, and I do not desire to duplicate to any considerable extent, but it occurs to me that you may have some special point of view you would like to mention in connection with this discussion we have mentioned between identity of opportunity and equality of opportunity, so far as the public high schools in Virginia, and particularly Prince Edward County, are concerned?

A From my own experience, I would say it would be practically impossible to have identity of anything. There isn't even identity of people. There can be a greater or lesser degree of equality. I think it is possible to get an approximate equality of opportunity. I say "approximate" because I believe, that in the present state of the social situation in the state of Virginia, it is possible to secure an absolute equality.

Q Now, coming to this particular segregation question, from your studies, will you state whether you consider that segregation problems differ at different educational levels; and, if so, what is the most acute period?

A Yes; I think populations at various levels do differ very sharply. It seems to me that at the graduate and professional school levels it has been very capably demonstrated that there is almost no friction existing between Negroes and whites. I think that is true because of

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the fact that either the Negro or the white has attained that superior degree of development, or superiority of development, and has acquired in the process what we might call a community of interest -- what actually might be greater between those two than between members of their particular race who are of lesser sophistication.

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Let us reverse the scale, and if we consider the elementary school level -- I am speaking now from the situation in Virginia, not the ideal situation, because we don't have that. As the situation exists now, I think the problems would be very great at both the elementary and the secondary school levels. I don't know whether you can say at one level it would be greater than the other. I think the problems at both levels would be great. I say that, because, in my opinion, the average child, whether Negro or white, by the time he has entered school, has pretty well crystallized his racial attitudes, and I think that it would be very sharply reflected in relationships in an intimate educational association.

At the high school level, you would have the additional questions, of course, of all the psychological problems of adolescence. Adolescence is characterized by sharply-vacillant behavior. I think, that at the adolescent level, perhaps more than at any other, the given individual is more

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critical of his surroundings than he ever is again. He tends, too, to be disturbed at times by his desire, on the one hand, to be a full-fledged, mature adult, operating as an independent individual, and by his equal or perhaps greater desire at times to maintain a dependent, childlike status.

Q Now, having in mind the history of separateness of schools for Negroes and whites in Virginia, with which I am sure you are familiar, will you state whether you consider that segregation in the Virginia public schools is a normal or an abnormal thing?

A Well, segregation in Virginia must be regarded as a normal thing, since, in the entire life of the school system, no other situation has obtained.

Q Well, do you think that has a substantial bearing -- the normalcy of it -- upon the attitudes of white parents and children, on the one hand, and Negro parents and children, on the other?

A I do, sir. I think, that in attempting to change a traditional status or state, it must be done in a gradual, orderly sort of fashion. I think that we have to take extreme care that in correcting what we may see as a social ill, we do not in the correction produce a greater illness.

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Q I think it appears here that we have had this system for some 80 years in this Commonwealth. I wish you would state, as an expert in your field, what you consider would be the effect on the personalities involved, if suddenly, by court decree, the system of separateness that we have were done away with?

A Well, may I state, first --

Q I have reference particularly, as far as you can say, to the high school level, such as in Prince Edward County.

A May I state, first, that I do not know of any instance in history where a social ill was corrected by coercion or by a dramatic or sudden change, where the results were beneficial to either group or both groups. I don't like to prophesy, but it seems to me that if it were attempted to abolish segregation summarily or immediately in Virginia, the following would take place -- the degree with which it would take place, I am not prepared to say -- it would seem to me, first, that an indeterminate but probably large number of white parents would withdraw their children from the public school system and seek to place them in private schools -- when there simply aren't private schools to take care of them. The respective school boards of the cities and counties would cer-

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tainly be faced with what might then be called overwhelming problems of administration. I think that two of the specific problems with which they would be faced would be the means of finding some measure to abandon the present commendable program of providing better schools -- much better schools for the Negroes. Another pressure would be to get them to employ white teachers in place of Negro teachers.

Now, I am not just stating that as my own studied opinion. I don't think I would be qualified to do so. I have a number of friends on the school boards of cities and counties, and I have discussed this matter with them, personally and informally. I would prefer not to quote them, for obvious reasons. But these are the problems they see. There are others, of course, in the lower levels, with whom I have also talked. I think a number of the white teachers, the older teachers, who are, perhaps, more brittle and less able to adapt to such a situation, would resign at once. As has been brought out here by people much more competent than I to talk on the subject of employment of teachers, white teachers are difficult to obtain. It would be difficult to replace them, in short, much less hire an additional number.

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things, that the school children, both white and Negro, would express, both overtly and covertly, in the school situation, the attitudes of their parents, to the detriment, largely, of both white and Negro. I think, as one of the preceding witnesses has said, I shall subscribe to the idea that this adaptability is lessened at the higher cultural levels. There is certainly going to be less question there. It must be remembered that in the state of Virginia we have many, many people who are not adaptable in this particular respect.

I think -- and this is also important -- that Negro children entering white schools for the first time in their lives would find that they were granted the right of association. I don't think there would be too much rejection on the part of the white students, but the point is not association, as I see it, from an educational standpoint, but participation and acceptance.

Q Right there, from your knowledge of conditions, do you believe that in Virginia, today, by court decree it would be possible for the Negro child to obtain general acceptance in the schools, you were talking about, on the part of the white teachers and the white students?

A I do not. I am sorry to say, I don't.

Q What would be, in your opinion, the effect of

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that on the Negro child as compared to the situation he is in now, where he is in school with his own group?

A I think it would be fair to say, here, that we are probably faced with the choice of the lesser of two evils. I feel that as an abstract idea, segregation is bad.

In the examination of the group in Madison Heights, for example -- I present this for what it is worth -- we have not been able to analyze it fully, but from the survey, superficially, it would appear that the Negro children in the school are somewhat more maladjusted than the white children. Objective evidence in this respect is very difficult to obtain at this point.

Q Have you had experience with groups of children in a nonsegregated school?

A Associating with them; not in a professional status, but as I observed them at Swarthmore, when I was there.

Q You attended public schools in the city of Philadelphia?

A I attended public schools in the city of Philadelphia; to the best of my recollection, there were very few Negroes. There were first-generation American-born Italians. My recollection of the treatment of those Ital-

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ian boys, for whatever it is worth, is that they were looked down upon and ridiculed. They were not persecuted, but I will say they were not accorded the respect which was their due, and I, myself, contributed to that, in part. On the high school level, there were perhaps 15 or 20 Negroes in the school. These Negroes, so far as I know, ran into no particular difficulties of adjustment, because it was an isolated, withdrawn group; they stayed largely to themselves.

Q Will you state what is your opinion concerning studies that have been done, that you are familiar with, which purport to show that segregation or separation per se is harmful to the white and Negro children?

A I don't think that any thoroughly objective and sufficiently large study has ever been done. I think there are various reasons for that. Such a study would be extremely difficult to perform. It would involve examination at two separate levels -- Negro children in a segregated situation, as against a nonsegregated situation, with approximately the same facilities, caliber of teachers, and so on, and a similar examination of whites. I think we would also have to consider such variables as size of families. We would have to take into consideration all of the noneducational factors which would affect behavior in the school situation and affect the educability of chil-

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dren in that situation.

Q Have you been in attendance at the trial of this case throughout, and have you heard the testimony of the four expert witnesses who were called for the plaintiffs?

A I have, sir.

Q As an expert in this field, do you consider that there are any objective or analytical tests or studies presented by any of them which have any substantial validity as applied to the public school situation in Prince Edward County on the high school level?

A No, sir. I think, if a survey were made of professional people at their level, those people would have answered it in the same way I would have answered it. I think the questions used were perhaps unhappily worded. I think the questions were at a somewhat superficial level.

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As for Dr. Clark's testimony, I must say that I was certainly impressed by his sincerity, and I am sure that he felt exactly as he said, but it seems to me that those 14 students, under the circumstances, could scarcely have answered otherwise -- and I think he substantially said the same thing -- but I think he was quite scientific in his evaluation of his study.

Q Mr. Buck, if we assume that this high school program, which you are familiar with from hearing the evi-

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dence in this case, after the construction of the new high school in Prince Edward County is completed as planned, and that the result is that the Negro high school students will have as good or better buildings and facilities as the whites, and if you also assume that the curriculum is as good or better, and the teachers' qualifications, teachers' salaries, and bus facilities, and the other things we have talked about, were just as good or better, in your judgment, can the Negro child attending that school receive as good or better opportunities and advantages for education as the child could if he were over in the white school?

A I think, in the present situation in Virginia, as I mentioned before, that that would be the case. I would like to supplement that further, and express the same view that Dr. Stiles did: that this would be an interim situation, the duration of which I certainly would not be qualified to prophecy.

Q Over-all, do you believe that the Negro child would be better-off in such a situation, attending the separate schools, with these facilities and curriculum, and so forth, that I have described, than he would be if he were transferred, or the attempt were made to transfer him over to the white school?

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A I most certainly do.

CROSS-EXAMINATION

BY MR. CARTER:

Q Dr. Buck --

A Mr. Buck. Let's get the record straight.

Q I am sorry. When you gave your opinion as to what would likely happen from what you described, I believe, as "an abrupt change" from the segregated to the nonsegregated school, were you then a clinical psychologist, or were you merely giving that as a personal opinion?

A It is a combination of opinions, Mr. Carter. I can speak as a clinical psychologist, from what I have seen of the white children and Negro children in Virginia who have come to my clinic, and I can speak, also, from what I believe would happen from personal observation, as a state-wide situation. I am not too familiar with the Prince Edward situation, except as it has been expanded upon here -- of course, that is a rather large expansion. I think, though, that largely my opinion is dictated, if you want to call it that -- I mean, the evidence I have, is that which I have obtained from what I should regard as just as inadequate a sample as, perhaps, some people would say of Dr. Clark's; but I have been speaking largely

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to whites, and I have spoken to some Negroes, and I have attempted to find out what would happen if this came about. I think I have attempted to do that in a situation which was not emotionally charged with the relations of the whites and the Negroes, and there would not be the difficulty of obtaining an honest opinion that quite often obtains in such situations.

Q I think you said, Mr. Buck, that in your studies at the Institute, you administered a test you devised, which is called the HTP Test?

A Yes.

Q In your studies and in your research, have you found any evidence of the effects on the personality of Negro children with respect to segregation?

A I don't think that I should be qualified any more than anyone else, at the moment, to say specifically that I have isolated the variable called "segregation." As I said before, it is my opinion -- and this is again an opinion, though I have tried to analyze it carefully -- that the Negro child is somewhat more maladjusted than the white child.

Q I think you said that you thought the abrupt change would be harmful?

A I do.

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Q That aside, for a moment, in your opinion as a clinical psychologist, do you feel that racial segregation has an adverse effect on a healthy personality development?

A As an abstract statement -- as a generality, let us put it that way -- I should say Yes. I think that anything that sets up social barriers, restricting communication between individuals in a given community, is perhaps, at least theoretically, bad; but I think that such a statement must be modified by the situation which exists, obviously, and there are many, many situations. I don't think a generality can actually be given.

Q Would it be a fair statement, Mr. Buck, to say that while you feel that segregation has harmful effects on the Negro child, that in so far as you are concerned, it is a question of time, and that you feel that, although this problem can be eliminated and can be handled, it should not be done immediately -- it is a question of time?

A I think that the approach to this problem is bad, if it is an abrupt and direct approach. I think racial relationships in Virginia over the past 30 years have improved immensely. I think it is the sincere desire, certainly, of all thinking Virginians, to continue to improve those. I think that such actions as this have an adverse

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effect, because they tend to arouse an opposition, a resentment on the part of the people, because they don't understand the purpose which you gentlemen may have. I am not questioning the sincerity of the purpose, but I do question the method.

Q Again, I would like to ask, the disagreement as between this side of the table and yours, on the witness-stand, is on method and not on the actual goal?

A There is no agreement as to goal, at all. I am not a lawyer, but as I see it, the laws of the State of Virginia, which have stood for the past 80 years, express the wish of the majority of the people. As I understand it, in a democratic situation, the majority of the people are entitled to express a wish, and have that wish carried out by the rest. I am sure the majority does not wish to do an injury to the rest, but it seems to me that orderly procedure is a legislative procedure.

Q Just one or two more questions.

I think you said that the published material on the effects of racial discrimination and racial segregation on personality are too inconclusive?

A There is one study which I think might possibly have some pertinent value, if the Court will forgive me. There were a series of studies conducted at the University

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of Cincinnati. I don't think they are too pertinent, since the studies were not on a compulsory basis -- they were on a voluntary basis. These studies were, I think, fairly carefully worked out, but I should like to quote, if I may --

JUDGE DOBIE: Very briefly.

A (Continuing) Yes, sir; I will be very brief. In a review in the Journal of Negro Education, J. Sinclair Price says, concerning the isolation of the variable "segregation": "The real problem of the investigation, it seems to the writer, is to develop the type of school which will least cause that condition, by showing that all other probable causes have been controlled. Now, obviously, one very potent influence has either been overlooked or ignored: These children who were tested spent only a part of their waking hours at school; the remainder were spent in work and play at home, and with the neighborhood games. To state, therefore, that a child is significantly different from the children who day-dream, or are humble, or prefer to play solitary games, or are introverted, and so on, are so because they happen to be in School X rather than in School Y, is to assume that children learn and grow only when they are in school,--a position which, of course, is absurd. If we know anything at all about individual development, it is that attitudes, interests, and personality adjustments are

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being made and developed so long before children enter the public schools, that its function in this respect becomes largely residual rather than initiatory. In other words, Johnnie is already a person when he comes to school, a person in the making." That, of course, is taken from the context and, as such, is subject to some criticism.

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Q Would this be a fair statement, Mr. Buck, that the consensus of opinion among people in your profession and related professions, is that racial barriers, barriers based on races, do harm to the individual?

A Yes, that is the consensus, sir. But, once again, the harm that is done depends on many other circumstances. I do not think that is the sole harm.

MR. CARTER: That is all.

MR. MOORE: Just one question.

REDIRECT EXAMINATION

BY MR. MOORE:

Q Speaking as a clinical psychologist, Mr. Buck, is it your opinion that voluntary segregation would have more serious effects on the personality of the average Negro child than what now exists, that is, segregation under Virginia law?

A I have never given that too much thought, but I should think that voluntary segregation might well have the very definite statute feeling involved because the Negro child who is separated by his own parents from the community, as such, should certainly feel that separation more acutely than the separation which is a

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statutory thing.

MR. MOORE: That is all. You may be excused.

MR. CARTER: I have one more question that I would like to ask Mr. Buck.

BY MR. CARTER:

Q On what do you base that finding?

A That is, I do not base it on any finding. I base it simply on my opinion, which is very definitely that individual differences -- I am sorry, let me change that -- that the impact of individual prejudice, let us say, and I think it might well be considered that, is stronger than statutory. In other words, the situation which is extremely well structured from the very beginning is an easier situation to adapt to than a situation in which the child might grow up to a certain point and then say, "Here, you can't associate with the rest of your own people, let alone some one else."

Q In other words, to borrow from Dean Stiles, "It is a question of the degree of sickness?"

A That is right.

Q You would agree that the patient is sick?

A I think the whole society is sick.

BY JUDGE BRYAN:

Q Mr Buck, were you one of those that received

a questionnaire from Dr. Chein?

A I am not. I am not in the social psychological field, primarily. My interests are there, however.

MR. MOORE: I have the pleasure to state, Your Honor, that this is our last witness. Dr. Garrett, will you be sworn?